LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Revised set up of Criminal Courts under the Code of Criminal Procedure, 1973.

G. O. No. LAW 53 LCE 74, dated the 20th March, 1974.

READ:—

1. Notification-I No. LAW 53 LCE 74, dated 20th March 1974.
2. D. O. Letter No. GOB 197/74, dated 7th March 1974 of the Registrar, High Court of Karnataka, Bangalore, addressed to Secretary, Department of Law and Parliamentary, Affairs Bangalore.

PREAMBLE:

The Code of Criminal Procedure, 1973 (Central Act 2 of 1974) which comes into force from the 1st day of April, 1974, provides for a uniform set up of Criminal Courts in the State. The heirarchy of Judicial Magistretes consists of a Chief Judicial Magistrate at the district-level, Additional Chief Judicial Magistrates, if any and other Judicial Magistrates of the First Class and Second Class in the districts. The Code also contemplates declaration of any area comprising a city or town whose population exceeds one million to be a Metropolitan Area for the purposes of the Code and establishment of Courts of Metropolitan Magistrates in such areas. One of the Metropolitan Magistrates shall be the Chief Metropolitan Magistrate to be appointed by the High Court for such Area.

2. The measures under the Code that are to be taken for a smooth change-over for the dispense of justice under the new set up of Criminal Courts have been reviewed by the High Court of Karnataka who have made the following proposals in this behalf:—

(i) The area comprising the City of Bangalore be declared as Metropolitan Area for the porpeses of the Code and Chief Metropolitan Magistrate appointed for the said area:

(ii) Creation of one post of Chief Metropolitan Magistrate and 19 posts of Chief Judicial Magistrates, one in each of the 19 districts, in the scale of pay of Rs. 1100-50-1200 whose rank in the cadre of Judicial Officers shall be above that of a Civil Judge but below that of a District and Sessions Judge;

(iii) Re-designating 2 Judicial Magistrates in Bangalore in the cadre of Civil Judges as Metropolitan Magistrate:

(iv) Upgrading 4 posts of Judicial Magistrates, First Class, in the cadre of Munsiffs in the Metropolitan Area of Bangalore, into 4 posts of Metropolitan Magistrates in the cadre of Civil Judges; and

(v) Re-designating the Judicial Magistrate, the Mobile Traffic Court, Bangalore as the Metropolitan Magistrate, the Mobile Traffic Court, Bangalore.

ORDER NO. LAW 53 LCE 74, BANGALORE, DATED THE 20TH MARCH 1974.

On consideration of all respects of the case, sanction is accorded to:—

I. (1) the declaration of the City of Bangalore as defined in the City of Bangalore Municipal Corporation Act, 1949 (Karnataka Act 69 of 1949) as Metropolitan Area for the purposes of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and the appointment of a Chief Metropolitan Magistrate for the said area;

(2) Creation of a class of Chief Judicial Magistrates in the scale of pay of Rs. 1100-50-1200 comprising of —

(a) one Chief Metropolitan Magistrate for the City of Bangalore Metropolitan Area; and

(b) nineteen posts of Chief Judicial Magistrates, one for each of the 19 districts which include Bangalore District excluding the Metropolitan Area;

who are above the rank of a Civil Judge and below that of a District and Sessions Judge;

II. (1) of the twenty new posts sanctioned above, four posts in the following areas, namely, Bangalore Metropolitan Area, Bangalore District, Mysore

District and Kolar District, shall be in lieu of the following existing posts of Civil Judges (as detailed in Annexure-I), namely :—

(i) Judicial Magistrate First Class (First Court), Bangalore City, presided by an officer of the rank of a Civil Judge ;

(ii) Judicial Magistrate First Class (First Court), Civil Station, Bangalore, presided by an officer of the rank of a Civil Judge ;

(iii) City Magistrate, Mysore, presided by an officer of the rank of a Civil Judge; and

(iv) Special First Class Magistrate, K. G. F.; presided by an officer of the rank of a Civil Judge ; and

2. of the remaining Sixteen posts, 15 posts shall be in lieu of the existing posts of First Class Magistrates of the rank of Munsiffs as shown in Annexure-II. and the remaining post at Bidar shall be a new post where there is only one combined Civil and Criminal Court designated as Munsiff-Magistrate. The Government further directs that this new post of the Chief Judicial Magistrate as sanctioned is subject to the abolition of one of the Additional Munsiff's Court dealing in Land Reforms Cases which has become surplus on account of the coming into force of the Karnataka Land Reforms (Amendment) Act, 1973 (Karnataka Act 1 of 1974).

III. (1) Sanction is accorded to the appointment of the following Magistrates in the Metropolitan Area of the City of Bangalore as Metropolitan Magistrates who shall be of the rank of the Munsiffs :—

1. Judicial Magistrate, First Class (First Court), Civil Station, Bangalore;
2. Judicial Magistrate, First Class (Second Court), Bangalore ;
3. Judicial Magistrate, First Class (Third Court), Bangalore ;
4. Judicial Magistrate, First Class (Fourth Court), Bangalore ;
5. Judicial Magistrate, First Class (Second Court), Civil Station, Bangalore ;
6. Judicial Magistrate, First Class (Traffic Court), Bangalore ; and
7. Judicial Magistrate, First Class (Mobile Traffic Court), Bangalore.

(ii) The High Court of Karnataka shall specify direct to the Accountant General, the Courts presided by officers of the rank of Munsiffs which are specifically counted against the newly sanctioned posts of Chief Judicial Magistrates as mentioned in Annexure-II.

IV. The High Court of Karnataka shall forward to the Accountant General direct the necessary proposition statement involved in the proposals as sanctioned.

V. The orders regarding the seals of the Courts of Magistrates newly set up will be issued separately.

VI. Necessary statutory notifications for the purposes of the said Code will be issued separately.

VII. The Director of Printing, Stationery and Publications in Karnataka, Bangalore, is authorised to supply the requisite quota of stationary articles, seals forms, registers, etc., to the new Courts as per rules in force.

VIII. This order shall come into force on the First day of April 1974.

By Order and in the name of the Governor of Karnataka,

N. D. VENKATESH
Secretary to Government,
Department of Law and Parliamentary Affairs.

ANNEXURE—I.

District	Existing Posts	Post as sanctioned	Remarks
1. Bangalore Metropolitan Area	(1) Judicial Magistrate, F.C., (I Court) Civil Judge's Cadre	Converted into a post of Chief Metropolitan Magistrate.	
	(2) Judicial Magistrate, F.C. (I Court), Civil Station	Retained	To be presided over by a Munsiff
	(3) Judicial Magistrate, F.C. (II Court), Munisiff's cadre	do	do
	(4) Judicial Magistrate F.C., Munsiff's cadre	do	do
	(5) Judicial Magistrate, F.C., Munsiff's cadre	do	do
	(6) Judicial Magistrate, F.C. (II Court), Munsiff's cadre	do	do
	(7) Judicial Magistrate, F.C., (Traffic Court), Munsiff's cadre	do	do
	(8) Judicial Magistrate, F.C., (Mobile Traffic Court) Munsiff's cadre	do	do
2. Bangalore District	Judicial Magistrate, F.C., (V) Court, Bangalore, Munsiff's cadre	Converted into a posts of Chief Judicial Magistrate.	
3. Mysore District	City Magistrate, Mysore, Civil Judges cadre	do	
4. Kolar District	(1) Special F.C. Magistrate, KGF, Civil Judge's Cadre	do and shifted to Kolar	
	(2) First Class Magistrate, Kolar Munsiff's cadre	Retained, and to be shifted to KGF and designated as F. C. M., Kolar Gold Fields.	

B. N. RANGANNA
Under Secretary to Governme
Law Department.

ANNEXURE—II

	District	Newly sanctioned post	The post in lieu of which the new post is sanctioned
	(1)	(2)	(3)
1	Belgaum ...	One post of Chief Judicial Magistrate ...	One of the following posts, *viz* :— (i) J. M. F. C., Belgaum City, (ii) J. M. F. C., Belgaum Taluk (iii) J. M. F. C. Belgaum Cantonment.
2	Coorg ...	do ...	One of the following posts, *viz* :— (i) Principal Munsiff and F. C. M., Mercara. (ii) Additional Munsiff and F.C.M., Mercara.
3	Chickmagalur ...	do ...	One of the following posts, *viz* :— (i) Principal Munsiff and F. C. M., Chickmagalur. (ii) Additional Munsiff and F. C. M., Chickmagalur.
4	Dharwar ...	do ...	One of the following posts, *viz* :— (i) J. M. F. C., (I Court), Dharwar. (ii) J. M. F. C., (II Court), Dharwar.
5	Bellary ...	do ...	One of the following posts, *viz* :— (i) First Additional Munsiff and F. C. M., Bellary. (ii) II Additional Munsiff and F. C. M. Bellary.
6	North Kanara ...	do ...	One of the following posts, *viz* :— (i) Principal Munsiff and J.M.F.C., Karwar. (ii) I Additional Munsiff and J. M. F. C., Karwar.
7	South Kanara ...	do ...	One of the following posts, *viz* :— (i) J. M. F. C., Mangalore, (ii) Additional F. C. M., Mangalore, (iii) II Additional F. C. M., Mangalore.
8	Mandya ...	do ...	Post of the First Class Magistrate, Mandya.
9	Hassan ...	do ...	Post of the First Class Magistrate, Hassan.
10	Tumkur ...	do ...	Post of First Class Magistrate, Tumkur.
11	Shimoga ...	do ...	Post of Special First Class Magistrate, Shimoga
12	Raichur ...	do ...	One of the following posts, *viz*:— (i) Principal Munsiff-Magistrate, Raichur, (ii) Additional Munsiff-Magistrate, Raichur
13	Gulbarga ...	do ...	One of the following posts, *viz* :— (i) one post of Principal Munsiff-Magistrate, Gulbarga. (ii) one post of Additional Munsiff-Magistrate, Gulbarga.
14	Bijapur ...	do ...	One of the following posts, *viz* :— (i) J. M. F. C. (I Court), Bijapur. (ii) J. M. F. C. (II Court), Bijapur.
15	Chitradurga ...	do ...	Post of F. C. M., Chitradurga.

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Under Secretary to Government,
Department of Law and Parliamentary Affairs.